



UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,) 2:18-CR- 225- APG- VCF
Plaintiff,)
v.) Preliminary Order of Forfeiture
DANIEL DARREN MARCHAND,)
Defendant.)

This Court finds that defendant Daniel Darren Marchand pled guilty to Count One of a One-Count Criminal Information charging him with Receipt of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(2). Criminal Information, ECF No. __; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds defendant Daniel Darren Marchand agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information. Criminal Information, ECF No. __; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information and the offense to which defendant Daniel Darren Marchand pled guilty.

The following property is (1) any visual depiction described in Title 18, United States Code, Section 2252A, or any book, magazine, periodical, film, videotape, or other matter which

1 contains any such visual depiction, which was produced, transported, mailed, shipped or received
2 in violation of Title 18, United States Code, Section 2252A(a)(2) and (2) any property, real or
3 personal, used or intended to be used to commit or to promote the commission of Title 18,
4 United States Code, Section 2252A(a)(2) or any property traceable to such property, and is
5 subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1) and
6 (a)(3):

- 7 1. Maxtor SATA Hard Drive, S/N L246X53G;
- 8 2. Cengage USB Drive, No Serial Number;
- 9 3. Coolermaster Computer Tower, S/N RC922MKKN11114200963;
- 10 4. Dell Optiplex 980, S/N CB7WSR1;
- 11 5. CMStacker Computer Tower, No Serial Number;
- 12 6. Raidmax Gaming Computer Tower, S/N RC830KKR31072800196;
- 13 7. Toshiba Laptop, S/N 67494889K;
- 14 8. Asus Laptop, No Serial Number;
- 15 9. Sony Tablet, No Serial Number;
- 16 10. Sony Cellphone, No back;
- 17 11. Sony Cellphone, No Serial Number;
- 18 12. Blackberry cellphone, No Serial Number;
- 19 13. Samsung Cellphone, No Serial Number;
- 20 14. 39 Internal Hard Drives;
- 21 15. 1 Micro SD Card, No Serial Number; and
- 22 16. 3 Thumb drives, No Serial Numbers

23 (all of which constitutes property).

24 This Court finds the United States of America is now entitled to, and should, reduce the
25 aforementioned property to the possession of the United States of America.

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1 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
2 the United States of America should seize the aforementioned property.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights,
4 ownership rights, and all rights, titles, and interests of Daniel Darren Marchand in the
5 aforementioned property is forfeited and is vested in the United States of America and shall be
6 safely held by the United States of America until further order of the Court.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
8 America shall publish for at least thirty (30) consecutive days on the official internet government
9 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
10 property, state the time under the applicable statute when a petition contesting the forfeiture must
11 be filed, and state the name and contact information for the government attorney to be served
12 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
13 Section 853(n)(2).

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
15 entity who claims an interest in the aforementioned property must file a petition for a hearing to
16 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
17 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
18 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
19 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
20 facts supporting the petitioner's petition and the relief sought.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
22 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
23 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
24 sixty (60) days after the first day of the publication on the official internet government forfeiture
25 site, www.forfeiture.gov.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
2 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
3 the following address at the time of filing:

4 Michael A. Humphreys
5 Assistant United States Attorney
6 Daniel D. Hollingsworth
7 Assistant United States Attorney
8 501 Las Vegas Boulevard South, Suite 1100
9 Las Vegas, Nevada 89101.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
11 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
12 agency following publication of notice of seizure and intent to administratively forfeit the above-
13 described property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
15 of this Order to all counsel of record.

16 DATED this 13 day of December, 2018.

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18 UNITED STATES DISTRICT JUDGE
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